



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. of: COGEN, Jeffrey M.

Appln. No.: 09/887,365

Filed: June 22, 2001

For: SYSTEM AND METHOD FOR PLACING ORDERS AT A RESTAURANT

Examiner: James A. Kramer

Art Unit: 3627

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DECLARATION OF JEFFREY M. COGEN, Ph.D

I, JEFFREY M. COGEN, do hereby declare and say:

1. I am at least 21 years of age and competent to testify to the matters set forth herein.
2. The idea for my invention came to me shortly after using the drive-thru service at a fast-food restaurant. After I struggled to get the order straight for five individuals and relay it correctly to the clerk through the microphone, upon leaving the restaurant, it was realized that some of the items that we wanted we had forgotten to order. At that point, I came up with the concept for my invention.
3. Shortly thereafter, I proceeded to draft a provisional patent application on my own.
4. In February 2001, I searched the patent database at the U.S. Patent and Trademark Office website for relevant prior art.
5. Also in February 2001, I contacted the law firm of Whiteford, Taylor & Preston LLP, and attorney Gregory M. Stone, with whom I had worked on other intellectual property matters, to review the provisional application that I had prepared and to file the provisional application with the U.S. Patent and Trademark Office.

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6. My provisional application, serial number 60/277,719, was filed on March 22, 2001.
7. In June 2001, I learned of the Kliot and Glass disclosure on the IP.com website database.
8. I had no knowledge of the Kliot and Glass disclosure prior to my conception and development of the invention, nor prior to the filing of my patent application.
9. I have never met, talked to, or corresponded with Kliot or Glass. Furthermore, I had never heard of either of them, nor their work, prior to filing my patent application.
10. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

October 14, 2004

Date

Jeffrey M. Cogen

Jeffrey M. Cogen